

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BRIAN WATSON,

Plaintiff,

v.

C.O. C. BABCOCK, *et al.*,

Defendants.

Case No. 1:24-cv-306

MEMORANDUM ORDER

The within *pro se* civil action was commenced on November 4, 2024, by Plaintiff Brian Watson, an inmate at the State Correctional Institution at Forest (“SCI-Forest”). On that date, Plaintiff lodged a complaint against numerous individuals associated with SCI-Forest without paying the applicable filing and administrative fees or submitting a motion for leave to proceed *in forma pauperis*. In light of this deficiency, Chief United States Magistrate Judge Richard A. Lanzillo entered an order directing that the case be administratively closed. ECF No. 5. Plaintiff was advised that his case could not proceed further until the deficiencies were cured, and he was given thirty days to comply. *Id.* p. 2. Instead of complying with the Magistrate Judge’s order, the Plaintiff moved to stay his case pending exhaustion of his administrative remedies. ECF No. 6.

On February 14, 2025, Judge Lanzillo issued a Report and Recommendation (“R&R”) in which he opined that because Plaintiff recognizes that he has yet to complete the Pennsylvania Department of Correction’s grievance process, his claims should be dismissed, without prejudice. *See* ECF No. 7, p. 4. Objections to the R&R were due on or before March 3, 2025. To date, no objections have been received.

Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Local Rule 72(D)(2). After *de novo* review of the proposed Complaint, Plaintiff's motion for stay, and the Chief Magistrate Judge's Report and Recommendation,

IT IS HEREBY ORDERED, this 1st day of April, 2025, that this case be DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that Plaintiff's Motion for Stay (ECF No. 6) be DENIED AS MOOT.

IT IS FURTHER ORDERED that the Report and Recommendation of the Chief United States Magistrate Judge issued on February 14, 2025, ECF No. [7], is adopted as the Opinion of this Court.


SUSAN PARADISE BAXTER
United States District Judge